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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3557 OF 2005
IN
INCOME TAX APPEAL (L) NO. 1565 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

Shri Ashish Modi, Mumbai. ... Respondent

Mr. B.M. Chatterjee with Ms. P.P. Bhosale and Mr. P.S. Sahadevan for the Appellants.

Mr. F.I. Irani with Mr. Atul K. Jasani for Respondent.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 12, 2007

P.C.:

. The delay is of 350 days. There is affidavit filed in support of motion. The reasons have been set out in Para 2. One of the reasons is that there was no panel counsel available to draft the appeal memo. Though the respondents were served, the averments have not been contested. In our opinion, considering the above, cause shown would amount to sufficient cause. Hence, delay condoned. Office to register the appeal.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**